

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

May 22, 2009

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF No.: 02od-267

OAHU

Grant of Perpetual, Non-Exclusive Easement to the Department of Education for  
Sewer Line Purposes and Issuance of Management Right-of-Entry, Nanakuli,  
Waianae, Oahu, Tax Map Key: (1) 8-9-001:003 portion.

APPLICANT:

Department of Education, whose mailing address is P.O. Box 2360, Honolulu, Hawaii  
96804.

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Waianae situated at Nanakuli, Waianae, Oahu, identified  
by Tax Map Key: (1) 8-9-001:003 portion, as shown on the attached Exhibit A.

AREA:

435 square feet, more or less.

ZONING:

State Land Use District: Urban  
City & County of Honolulu LUO: R-5 Residential

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Vacant and unencumbered. [Note: The area is part of the old OR & L Co. railway.]

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace, and remove sewer line over and across State-owned land.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

A Findings of No Significant Impacts statement for the construction of Nanakuli IV Elementary School was published in the Environmental Notice on March 8, 2001.

DCCA VERIFICATION:

Not applicable. Government agency.

APPLICANT REQUIREMENTS:

Not applicable. Applicant already provided survey maps and descriptions.

REMARKS:

The construction of Nanakuli IV Elementary School (now known as Nanaikapono Elementary School) includes a new sewer line that passes under Farrington Highway to join the existing sewer main which runs along the makai side of the highway. The construction was completed in 2004.

The Department of Accounting and General Services, on behalf of the Department of Education, requests a perpetual non-exclusive easement for sewer line purposes over the state land, i.e. beyond Farrington Highway. The requested area is a portion of the former railroad tracks that is listed on the State Register of Historic Places.

The State Historic Preservation Division and the Hawaiian Railway Society have indicated that they did no object to the sewer line easement so long as certain precautions

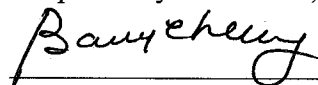
and procedures were followed. The comments are part of the FONSI in 2001.

The subject request is for housekeeping purposes to document the sewer line easement. There are no other pertinent issues or concerns. Further, staff recommends the Board authorize the issuance of a management right-of-entry pending the issuance of the easement document.

RECOMMENDATION: That the Board:

1. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a perpetual non-exclusive easement to the Department of Education covering the subject area for sewer line purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
  - B. Review and approval by the Department of the Attorney General; and
  - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
2. Authorize the issuance of a management right-of-entry to the Department of Education prior to the issuance of the easement document.
  - A. The standard terms and conditions of the most current right-of-entry document form, as may be amended from time to time; and
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Barry Cheung  
District Land Agent

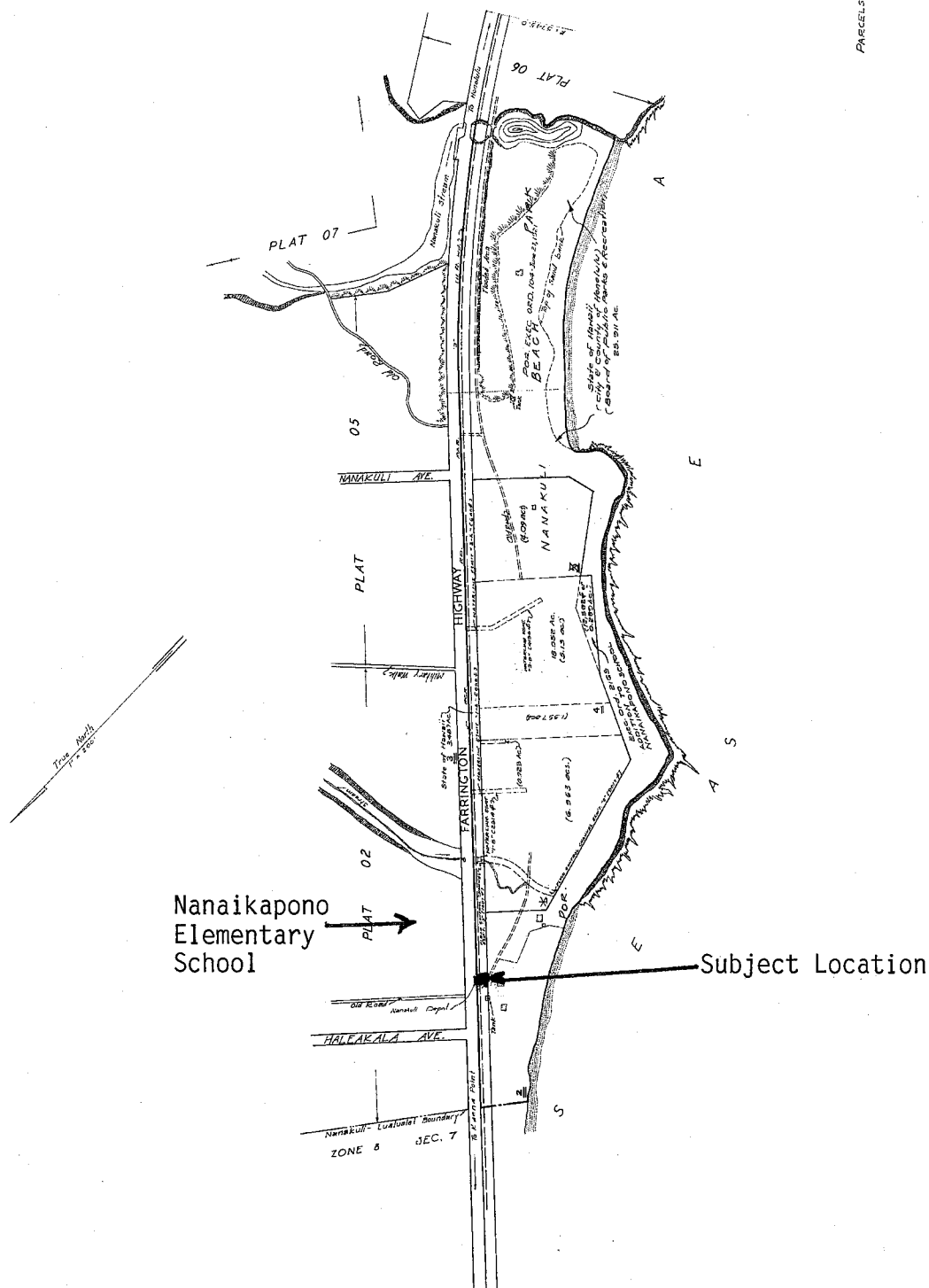
APPROVED FOR SUBMITTAL:

  
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Laura H. Thielen, Chairperson

PARCELS DROPPED: 5,1

FIRST	DIVISION	
ZONE	SEC.	PLAT
8	9	01
CONTAINING		PARCELS
SCALE: 1 in. = 200ft.		

PRINTED—



NANAKULI, OAHU.

Orig. No: 1831  
 By: L. H. Dug. 1933  
 Source: La Mesa, Bureau of  
Survey Department - Reg. Map 1851  
 Revised to